

Testimony of Megan Grant
SB 636, An Act Concerning Affirmative Consent
Higher Education and Employment Advancement Committee
February 20, 2015

Good afternoon Chairs Bartolomeo and Willis, and esteemed members of the committee for Higher education and Employment Advancement. My name is Megan Grant and I am both a senior at the University of Connecticut and an intern for CONNSACS. I would like to thank you for your consideration today in adopting affirmative consent as the standard in sexual misconduct cases on college campuses.

Affirmative consent encourages students to talk about sex and ensure that all parties involved in a sexual encounter approve of what is happening. When one person has to ask for consent, and another person has to provide that consent enthusiastically, the sentiment in the encounter becomes clearer. It is easier to prove that someone consented to the activity when they are fully and excitedly engaged. Especially in a generation where hook-up culture permeates on campus living, clear boundaries about what is consensual are not only helpful, but needed.

Besides contributing to a healthy sexual environment, affirmative consent would increase clarity in disciplinary processes. By instating affirmative consent, defenses that claim the victim did not say no become inadmissible. This, in turn is likely to encourage more survivors to report incidents since they are more confident in the outcome of their case. Survivors are less likely to go through the added trauma of reporting incidents of sexual violence when they believe their assailant has little to no chance of being held accountable.

Affirmative consent also provides more protection for victims of sexual violence who did not say “no” to their assailant during the assault. When I was sexually assaulted, my assailant was experiencing a violent mental episode. In that moment, I made the conscious decision not to say “no” because I thought that resisting would make him more violent towards me. Like many victims of sexual violence, I blamed myself for what had happened, convincing myself that my lack of a “no” encouraged him to continue. I considered reporting my assault to the university, but decided not to out of fear that he would not be punished since I hadn’t resisted “assertively enough”. It was not until someone said to me, “You didn’t say no... but you also didn’t say yes” that I realized I was not at fault.

In the aftermath of my assault, I learned that my university actually had an affirmative consent policy that many survivors claimed was being poorly executed in the disciplinary hearings. With this being said, I urge the committee to evaluate how universities and colleges are actually carrying out their written consent policies. I believe that adopting such an initiative at the state level would bring consistency to the standard and improve the way sexual misconduct cases are adjudicated at all colleges around the state. So, let’s say “yes” to bringing justice to survivors of sexual violence. Thank you for your time, and I welcome any questions or comments.